

REMARKS

As an initial matter, the Applicant's attorney hereby informs the Examiner that FIGS. 6A-6C were inadvertently filed with the application, and the Examiner is thus requested not to consider FIGS. 6A-6C a part of the application.

Claims 1-19 are pending in the application. Claims 1-19 stand rejected. Claims 1, 5, 8 and 12 have been amended. In view of the following, all rejected claims are in condition for allowance.

Rejection of Claim 8 Under 35 U.S.C. 112, Second Paragraph

Claim 8 has been amended and now stands in condition for allowance.

Rejection of Claims 1-6 and 8-19 Under 35 U.S.C. 102(b) As Being Anticipated By

Aavitsland

Claim 1

Claim 1 recites a vessel comprising a hull having multiple operating modes in which the hull is operable to move from a first geographic location to a second geographic location.

For example, referring, *e.g.*, to FIGS. 5A-5D and paragraphs 37-48 of the present application, a ship 100 has a multi-mode hull 510 that allows the ship to traverse a body of water (or portion thereof) in at least the following four modes: a logistics mode (FIG. 5A), a catamaran mode (FIG. 5B), a SWATH mode (FIG. 5C), and a low freeboard mode (FIG. 5D).

Aavitsland, on the other hand, fails to teach a hull having multiple operating modes and operable to move in each of the multiple operating modes from a first geographic location to a second geographic location. As cited by the Examiner, and referring to, *e.g.*, FIGS. 1-3 and column 1, lines 56-67, Aavitsland teaches a catamaran 1 that can be lifted from a first draft position (*i.e.*, first operating mode) by a ballast

system to a second draft position (*i.e.*, second operating mode) such that a load unit 2 can be floated into the space between the two hulls of the catamaran, after which the catamaran is lowered onto the load unit. Aavitsland fails to teach or suggest that the catamaran 1 moves an associated vessel over a body of water while in the second draft position, which is used solely for loading cargo. As such, Aavitsland fails to teach or suggest that the catamaran 1 is operable to move a vessel from a first geographic location to a second geographic location in each of multiple operating modes.

Claims 5 and 12

Claims 5 and 12 are patentable for reasons similar to those discussed above in connection with claim 1.

Claims 2-4, 6, 8-11 and 13-19

Claims 2-4, 6, 8-11 and 13-19 are patentable by virtue of their respective dependencies from claims 1, 5 and 12.

Rejection of Claim 7 Under 35 U.S.C. 103(a) As Being Unpatentable Over Aavitsland In View of Barbier

Barbier fails to supply the teachings missing from Aavitsland, namely a hull having multiple operating modes in which the hull is operable to move from a first geographic location to a second geographic location. As such, Aavitsland and Barbier, taken each alone or in combination, fail to teach or suggest the limitations recited in claim 5. Accordingly, claim 7 is patentable by virtue of its dependency from claim 5.

CONCLUSION

In view of the foregoing, claims 1-19 are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes that a telephone conference would expedite prosecution of this application, please telephone the undersigned at 425.455.5575. The Applicant's

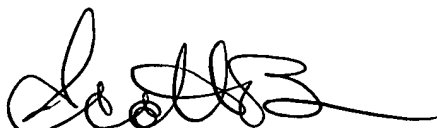
attorney respectfully requests the Examiner to telephone the undersigned prior to issuing an Office Action that rejects any pending claim in this case.

In the event additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

Dated: September 23, 2004

A handwritten signature in black ink, appearing to read 'P.G. Scott Born', written over a horizontal line.

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